

Bureau of Land Management, Interior

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among other things, upon a determination that the public interest will be served thereby.

[35 FR 9545, June 13, 1970]

§2110.0-3 Authority.

(a) *Section 8(a) of the Taylor Grazing Act.* Section 8(a) of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, authorizes the Secretary of the Interior to accept on behalf of the United States, any lands within or without the exterior boundaries of a grazing district as a gift, where such action will promote the purposes of a district or facilitate the administration of the public lands.

(b) *Section 103(a) of the Public Land Administration Act.* Section 103(a) of the Public Land Administration Act of July 14, 1960 (74 Stat. 506; 43 U.S.C. 1364), authorizes the Secretary to accept contributions or donations of real or mixed property, including rights-of-way, for the improvement, management, use and protection of the public lands and their resources administered by the Bureau of Land Management.

(c) Section 5 of the King Range Conservation Area Act (16 U.S.C. 460y) authorizes the Secretary to accept land or interest in land within the area by donation.

(d) Section 6(f) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(f)) authorizes the Secretary to accept donations of lands and interests in land, funds and other property for use in connection with his administration of the national wild and scenic rivers system.

[35 FR 9545, June 13, 1970, as amended at 41 FR 15851, Apr. 15, 1976; 41 FR 29122, July 15, 1976]

Subpart 2111—Procedures

SOURCE: 35 FR 9545, June 13, 1970, unless otherwise noted.

§2111.1 Offer to convey.

§2111.1-1 Place of offering.

Any person desiring to make a gift, contribution, or donation of land or interest in land to the United States should submit an offer to convey and transfer said property to the United States voluntarily. The offer should be transmitted to the proper land office in

accordance with the provisions of §1821.2 of this chapter.

§2111.1-2 Designation of authority and description of property.

The offer should designate the statute under which the gift is to be made and should describe the lands by legal subdivisions of the public land surveys, if possible, with a description of any permanent improvements fixed to the land. Any limitations on title should be fully detailed and any conditions as to future use and disposition of the land should be set forth.

§2111.1-3 Statement of ownership encumbrances.

The offer should be accompanied by a statement showing that the offeror is the record owner in fee of lands so offered, free and clear of all encumbrances; that there are no persons claiming the land adversely to the offeror; whether there are any unpaid taxes or assessments levied or assessed against the offered land or that could operate as a lien thereon; whether there is a tax or assessment due on such lands or that could operate as a lien thereon, but which tax or assessment is not yet payable; and that there are no unredeemed tax deeds outstanding against the lands.

§2111.2 Acceptance of offer.

Where the authorized officer finds that acceptance of the offered lands is in consonance with the program set forth in §2110.0-1, he shall advise the offeror of the acceptance of the offer and request the offeror to submit a voluntary deed of conveyance to the United States of the land offered, together with an affidavit that the offeror has not conveyed or encumbered the land in any manner from the time of making the offer up to and including the date of recordation of the deed.

§2111.3 Deed of conveyance.

The deed of conveyance to the United States must be executed, acknowledged, and duly recorded in accordance with the laws of the State in which the lands are situated. The deed should recite that it is made *as a gift*, as authorized by statute appropriately designated. Where such deed is made by an

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individual, it must show whether the person making the conveyance is married or single. If married, the spouse of the donor must join in the execution and acknowledgment of the deed in such manner as to bar effectually any right of courtesy or dower, or any claim whatsoever to land conveyed, or it must be fully and satisfactorily shown that under the laws of the State in which the land conveyed is situated, such spouse has no interest, present or prospective, which makes his or her joining in the deed of conveyance necessary. Where the deed of conveyance is by a corporation, the order or direction of the board of directors or other governing body should be recited in the deed, and a copy thereof must accompany the instrument of transfer. Both the deed and the instrument must bear the impression of the corporate seal.

§ 2111.4 Status of lands.

Upon acceptance of the deed of conveyance, the lands or interests so conveyed will become property of the United States but will not become subject to applicable land and mineral laws of this title unless and until an order to that effect is issued by the authorized officer.

PART 2130—ACQUISITION OF LANDS OR INTERESTS IN LANDS BY PURCHASE OR CONDEMNATION

Subpart 2130—Acquisition of Lands or Interests in Lands by Purchase or Condemnation: General

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2130.0-3 Authority.

2130.1—2130.3 [Reserved]

2130.4 Acquisition of lands in King Range Conservation Area.

2130.4-1 Purchase.

Subpart 2137—Condemnation of Lands or Interests in Lands

2137.0-7 Appraisals.

2137.0-8 [Reserved]

2137.0-9 Reasons for condemnation.

SOURCE: 41 FR 15851, Apr. 15, 1976, unless otherwise noted.

43 CFR Ch. II (10-1-96 Edition)

Subpart 2130—Acquisition of Lands or Interests in Lands by Purchase or Condemnation: General

§ 2130.0-3 Authority.

The Act of October 21, 1970, (16 U.S.C. 460y) provides for the establishment of the King Range National Conservation Area and authorizes the Secretary of the Interior to acquire by purchase any land or interest in land within the area pursuant to the Act.

§§ 2130.1—2130.3 [Reserved]

§ 2130.4 Acquisition of lands in King Range Conservation Area.

§ 2130.4-1 Purchase.

If the Secretary of the Interior determines that the acquisition of land or interest in land is desirable for consolidation of public lands within the Area he may acquire land or interest in land within the King Range National Conservation Area by purchase with donated funds appropriated specifically for that purpose.

Subpart 2137—Condemnation of Lands or Interests in Lands

§ 2137.0-7 Appraisals.

Prior to initiation of condemnation proceedings, the property will be appraised pursuant to approved Bureau procedures to determine its fair market value and an offer made to purchase it at that appraised price.

§ 2137.0-8 [Reserved]

§ 2137.0-9 Reasons for condemnation.

Incompatible use. The power of eminent domain will be exercised only if the Secretary finds that the use to which the land is being put is incompatible with the purposes of the King Range National Conservation Area Act or the management plan prepared in accordance with the Act, and if efforts to acquire the land by other means have failed.